UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,721	08/31/2001	Dennis A. Quan JR.	POU920010121US1	1719

23334 7590 05/05/2006		EXAMINER	
FLEIT, KAIN, GIBBONS, GUTMAN, BONGINI		CHUONG, TRUC T	
& BIANCO P.L.			
ONE BOCA COMMERCE CENTER		ART UNIT	PAPER NUMBER
551 NORTHWEST 77TH STREET, SUITE 111		2179	
BOCA RATON, FL 33487			

DATE MAILED: 05/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/944,721	QUAN, DENNIS A.
	Examiner	Art Unit	
	Truc T. Chuong	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>27 January 2006</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-23</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-23</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

1.   This communication is responsive to the communication filed 01/27/06.

Claims 1-23 are pending in this communication, and this is made non-final.

2.   In view of the Pre-appeal Brief filed on 01/27/06, PROSECUTION IS HEREBY

REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following

two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37

CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a

supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or

other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4.   Claims 1-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Microsoft

Explore Screen Captures ("Microsoft", figures 1-5, and Window NT 4 Workstation, figures 6-9

to verify the features of Microsoft Explore have been available since 1996).

        From Microsoft Windows Operating System (regular versions or NT versions), selecting

        → Microsoft Explore (fig. 8) to open this window → it displays a window with two

        panes (figs. 1-4), which contain folders, documents, programs, applications, software, etc.

        → different groups of the folders associate with an appropriate menu for that group (figs.

        2-4 show different menu options or some of the options is grey out) → it means

        associative array(s) contain(s) global context flags to tell the OS the status of the

        programs/applications/folders, based on the given information, the OS will provide or

        turn on/off some of the necessary options to the user (figs. 2-5).

        As to claim 1, Microsoft shows a method for presenting zero or more User Interface (UI)

objects as pad of a UI on an information processing system, the method comprising:

        associating an associative array (An associative array of Microsoft is an array of listing

states causing the system whether to dim (gray out) or remove options from menu options, e.g.,

figs. 2-5) with one or more entries to each of a plurality of UI objects presentable as part of a UI

(e.g., menu options, figs. 2-3);

        presenting at least one UI object based on a state of at least one global context flag for the

UI {figs. 2-4 show different menu options or some of the options is grey out. It means

associative array(s) contain(s) global context flags to tell the OS the status of the

programs/applications/folders, based on the given information, the OS will provide or turn on/off

some of the necessary options to the user (figs. 2-5)};

receiving at least one of a response from an end-user to the presentation of the at least

one UI object and an event-based trigger (the user make sections and interact with the menu

items, e.g., figs. 2-5);

altering the state of the global context flag based on the response from the end-user (the

user make sections and interact with the menu items; based on user selections, figs. 2-4 show

different menu options or some of the options is grey out);

performing a Boolean comparison between the global context flag and one or more of the

entries in the associative array for each of the UI objects {the associative array(s) contain(s)

global context flags to tell the OS the status of the programs/applications/folders, based on the

given information, the OS will provide or turn on/off some of the necessary options to the user

(figs. 2-5)}; and

presenting zero or more of the plurality of UI objects as part of the UI to the end-user

based upon a result of the Boolean comparison (e.g., figs. 2-5).

As to claim 2, Microsoft shows the method wherein the step of presenting to an end-user

the at least one UI object further comprising at least one of the following:

presenting a visual image (graphical menu, e.g., figs. 3-4);

creating a vibration;

playing a sound;

emitting a scent; and

emitting a taste.

As to claim 3, Microsoft shows the method wherein the step of associating an associative

array with one or more entries to each of a plurality of UI objects that may be presented as part

of a UI includes associating an associative array with zero or more entries to each of a plurality

of UI objects that may be presented as part of the UI by retrieving the associative array from a

file when an application using the UI is loading (e.g., figs. 2-5).

As to claim 4, Microsoft shows the method wherein the global context flags are changed

after the application using the UI receives any input from:

an end-user comprising an input from a group of input devices consisting of a keyboard,

mouse, pointing device, digitizing pen, light pen, track ball, touch screen, motion detector,

chemical sensor, sound sensor, and eye movement sensor (Microsoft Windows can run on a

regular PC which contains keyboard and mouse, etc.).

As to claim 5, Microsoft shows the method wherein the global context flags are changed

after the application using the UI receives an event-based trigger from one or the following

events:

a time event comprising an input from a time of day or elapsed time (Microsoft

inherently shows this feature because the invention of Microsoft utilizes a regular IBM computer

with Print command of fig. 4 is also available on the menu; it means that the Print command

contains well known features such as: a file status, printing status, date, time, etc.); and

an information processing system event comprising a file status, a printing status, a

modem status or a power supply status (the Print command contains well known features such

as: a file status, printing status, date, time, etc.).

As to claim 6, Microsoft shows the method wherein the step of performing a Boolean

operation is selected from the group of Boolean operations consisting of "AND", "OR" and

"XOR" {the system will compare the state of user selection, and the associative array(s)

contain(s) global context flags to tell the OS the status of the programs/applications/folders,

based on the given information, the OS will provide or turn on/off some of the necessary options

to the user (figs. 2-5)}.

As to claim 7, Microsoft shows the method wherein the step of associating one or more

attributes to each of a plurality of UI objects from a table so that any changes in the table can be

made without recompiling and/or re-linking an application using the UI (menus options of figs.

2-5 are also tables that the items can be changed/removed/deleted without recompiling the

application).

As to claims 8-10, they are the equivalent system claims of method claims 1, 4, and 2

respectively and are rejected under a similar rationale.

As to claims 11-17, they are the equivalent program product claims of method claims 1-7

respectively and are rejected under a similar rationale.

As to claim 18, Microsoft shows a method for presenting User Interface (UI) objects as

pad of a UI on an information processing system, the method comprising:

creating a first associative array for controlling a property of at least one UI object in a UI

{different groups of the folders associate with an appropriate menu for that group (figs. 2-4 show

different menu options or some of the options is grey out) → it means associative array(s)

contain(s) global context flags to tell the OS the status of the programs/applications/folders,

based on the given information, the OS will provide or turn on/off some of the necessary options

to the user (figs. 2-5)};

performing a Boolean comparison between:

at least one global context flag in the first associative array (An associative array

of Microsoft is an array of listing states causing the system whether to dim (grey out) or

remove options from menu options, e.g., figs. 2-5, and the different menu options

between figs. 3 and 4); and

at least one entry in a second associative array of at least one UI object graphical

selections associated with the at least one UI object (the different menu options between

figs. 3 and 4); and

presenting updates to the UI objects as past of the UI to an end-user in response to the

Boolean comparison {the associative array(s) contain(s) global context flags to tell the OS the

status of the programs/applications/folders, based on the given information, the OS will provide

or turn on/off some of the necessary options to the user (figs. 2-5)},

wherein the first associative array and the second associative array are indexed by a string

(associative arrays as explained above, e.g., figs. 2-5).

As to claim 19, Microsoft shows the method further comprising:

receiving at least one of:

a response from the end-user to the updates to the UI objects (figs. 2-4 show different

menu options or some of the options is grey out. It means associative array(s) contain(s) global

context flags to tell the OS the status of the programs/applications/folders, based on the given

information, the OS will provide or turn on/off some of the necessary options to the user (figs. 2-

5)), and an event-based trigger.

As to claim 20, Microsoft shows the method further comprising:

changing a state of the global context flag based on the response received from the end-

user (the user make sections and interact with the menu items; based on user selections, figs. 2-4

show different menu options or some of the options is grey out).

As to claims 21-23, they are the equivalent method claims of claims 4-6 respectively and

are rejected under a similar rationale.

5.   Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipate by Giesen et al. (U.S.

Patent No. 6,826,729 B1).

As to claim 1, Giesen shows a method for presenting zero or more User Interface (UI)

objects as pad of a UI on an information processing system, the method comprising:

associating an associative array (An associative array of Geisen is an array of listing

states causing the system whether to dim (gray out) or remove options from menu options, e.g.,

figs. 4-5) with one or more entries to each of a plurality of UI objects presentable as part of a UI

(e.g., menu options, figs. 4-9);

presenting at least one UI object based on a state of at least one global context flag for the

UI {figs. 4-9 show different menu options or some of the options is grey out. It means

associative array(s) contain(s) global context flags to tell the system the status of the

programs/applications/folders, based on the given information, the system will provide or turn

on/off some of the necessary options to the user (figs. 4-9)};

receiving at least one of a response from an end-user to the presentation of the at least

one UI object and an event-based trigger (the user make sections and interact with the menu

items, e.g., figs. 4-5);

altering the state of the global context flag based on the response from the end-user (the

user make sections and interact with the menu items; based on user selections, figs. 4-5 show

different menu options or some of the options is removed);

performing a Boolean comparison between the global context flag and one or more of the

entries in the associative array for each of the UI objects {the associative array(s) contain(s)

global context flags to tell the system the status of the programs/applications/folders, based on

the given information, the system will provide or turn on/off some of the necessary options to the

user (figs. 4-5)}; and

presenting zero or more of the plurality of UI objects as part of the UI to the end-user

based upon a result of the Boolean comparison (e.g., figs.4-9).

As to claim 2, Giesen shows the method wherein the step of presenting to an end-user the

at least one UI object further comprising at least one of the following:

presenting a visual image (graphical menu, e.g., figs. 4-9);

creating a vibration;

playing a sound;

emitting a scent; and

emitting a taste.

As to claim 3, Giesen shows the method wherein the step of associating an associative

array with one or more entries to each of a plurality of UI objects that may be presented as part

of a UI includes associating an associative array with zero or more entries to each of a plurality

of UI objects that may be presented as part of the UI by retrieving the associative array from a

file when an application using the UI is loading (e.g., figs. 4-9).

As to claim 4, Giesen shows the method wherein the global context flags are changed

after the application using the UI receives any input from:

an end-user comprising an input from a group of input devices consisting of a keyboard,

mouse, pointing device, digitizing pen, light pen, track ball, touch screen, motion detector,

chemical sensor, sound sensor, and eye movement sensor (printers, keyboard, etc. e.g., fig. 2).

As to claim 5, Giesen shows the method wherein the global context flags are changed

after the application using the UI receives an event-based trigger from one or the following

events:

a time event comprising an input from a time of day or elapsed time (the system

inherently shows this feature because the invention utilizes a regular IBM computer with Print

command of fig. 2 is also available on the menu; it means that the Print command contains well

known features such as: a file status, printing status, date, time, etc.); and

an information processing system event comprising a file status, a printing status, a

modem status or a power supply status (the Print command contains well known features such

as: a file status, printing status, date, time, etc.).

As to claim 6, Giesen shows the method wherein the step of performing a Boolean

operation is selected from the group of Boolean operations consisting of "AND", "OR" and

"XOR" {the system will compare the state of user selection, and the associative array(s)

contain(s) global context flags to tell the system the status of the programs/applications/folders,

based on the given information, the system will provide or turn on/off some of the necessary

options to the user (figs. 4-5)}.

As to claim 7, Giesen shows the method wherein the step of associating one or more

attributes to each of a plurality of UI objects from a table so that any changes in the table can be

made without recompiling and/or re-linking an application using the UI (menus options of figs.

4-9 are also tables that the items can be changed/removed/deleted without recompiling the

application).

As to claims 8-10, they are the equivalent system claims of method claims 1, 4, and 2

respectively and are rejected under a similar rationale.

As to claims 11-17, they are the equivalent program product claims of method claims 1-7

respectively and are rejected under a similar rationale.

As to claim 18, Giesen shows a method for presenting User Interface (UI) objects as pad

of a UI on an information processing system, the method comprising:

creating a first associative array for controlling a property of at least one UI object in a UI

{different groups of the folders associate with an appropriate menu for that group (figs. 4-9 show

different menu options or some of the options is removed. It means associative array(s)

contain(s) global context flags to tell the system the status of the programs/applications/folders,

based on the given information, the system will provide or turn on/off some of the necessary

options to the user (figs. 4-9)};

performing a Boolean comparison between:

at least one global context flag in the first associative array (An associative array

of the system is an array of listing states causing the system whether to dim (grey out) or

remove options from menu options, e.g., figs. 2-5, and the different menu options

between figs. 4 and 5); and

at least one entry in a second associative array of at least one UI object graphical

selections associated with the at least one UI object (the different menu options between

figs. 4 and 5); and.

presenting updates to the UI objects as past of the UI to an end-user in response to the

Boolean comparison {the system will compare the state of user selection, and the associative

array(s) contain(s) global context flags to tell the system the status of the

programs/applications/folders, based on the given information, the system will provide or turn

on/off some of the necessary options to the user (figs. 4-5)},

wherein the first associative array and the second associative array are indexed by a string

(associative arrays as explained above, e.g., figs. 4-9).

As to claim 19, Giesen shows the method further comprising:

receiving at least one of:

a response from the end-user to the updates to the UI objects (figs. 4-5 show different

menu options or some of the options is grey out. It means associative array(s) contain(s) global

context flags to tell the system the status of the programs/applications/folders, based on the given

information, the system will provide or turn on/off some of the necessary options to the user

(figs. 4-5)), and an event-based trigger.

As to claim 20, Giesen shows the method further comprising:

changing a state of the global context flag based on the response received from the end-

user (the user make sections and interact with the menu items; based on user selections, figs. 4-5

show different menu options or some of the options is grey out).

As to claims 21-23, they are the equivalent method claims of claims 4-6 respectively and

are rejected under a similar rationale.

Response to Arguments

Applicant's arguments with respect to claims have been considered but are moot in view

of the new ground(s) of rejection.

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

Blades et al. (U.S. Patent No. 5,420,975) teach an associative array of Blades is an

array of listing states causing the system whether to dim (gray out) or remove options

from Menu A and B, e.g., figs. 2-3, col. 2 lines 47-61, with one or more entries to each of

a plurality of UI objects presentable as part of a UI (e.g., Menu A and B of figs. 2-3); a

counter will count the number of times a user selects a particular menu, and increate the

counter against a threshold (context flag) for each menu to automatically alter the menu

such as changing menu colors, deleting options, dimming, etc., e.g., col. 2 line 58-col. 3

line 27, and fig. 2 shows "RENAME" has not been selected enough time and the display

is altered by dimming the intensity of the display, or deleting some options from the

menu, e.g., col. 3 lines 28-40, differences between Menus B of figs. 2-3. And Boolean

comparison between the threshold and the user selections (counter) to determine what

options should be on the menu, e.g., col. 3 lines 1-40, and figs. 2-3.

Suzuki (U.S. Patent No. 5,485,175) teaches context menus, arrays, flags,

customization, and alternation the menu item based on the user performances (cols. 2-15

and figs. 2A-15).

Brooks (U.S. Patent No. 6,069,623) teaches context-based menu, arrays, triggers,

customization, user interactions/selections with menus, and changing the GUI based on

the setups (cols. 2-10 and figs. 4-6).

Bate (U.S. Patent No. 7,010,758 B2) teaches associative arrays, context-based

menus, only appropriate menu items will be displayed for the user (cols. 2-16 and figs. 2-

9).

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Truc T. Chuong whose telephone number is 571-272-4134. The

examiner can normally be reached on M-Th and alternate Fridays 8:30 AM - 5:00 PM.
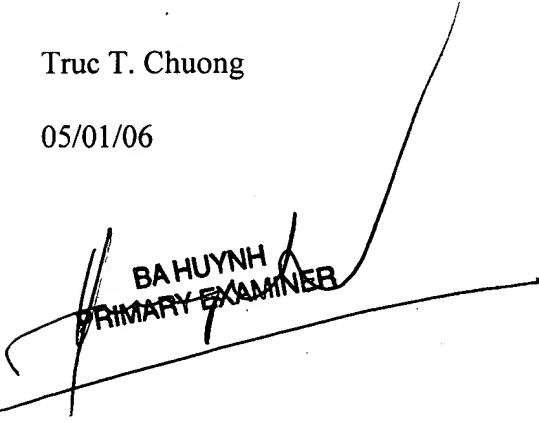
If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Truc T. Chuong

05/01/06

BA HUYNH
PRIMARY EXAMINER

WEILUN LO
SUPERVISORY PATENT EXAMINER